

FILED

MAR 16 2018

**Clerk, U.S. District Court
District Of Montana
Billings**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MELISSA A. WHIRLEY,

Defendant,

RIGG 1 INC.,

Garnishee.

CR 07-59-BLG-SPW

**FINAL ORDER IN
GARNISHMENT**

A writ of garnishment, directed to garnishee, has been duly issued and served upon the garnishee. Pursuant to the writ of garnishment, the garnishee filed an answer on or about January 16, 2018, stating that at the time of the service of the writ, garnishee had in garnishee's possession, custody or control personal property belonging to and due defendant, that defendant is employed by the garnishee and earns regular wages from the garnishee.

On February 16, 2018, the defendant was notified of her right to a hearing and has not requested a hearing to determine exempt property.

On March 15, 2018, Plaintiff filed a request for entry of final order in garnishment. No responsive pleading has been filed.

IT IS THEREFORE ORDERED garnishee shall pay to plaintiff the lesser of a) 25% of defendant's disposable earnings or b) the amount by which defendant's disposable earnings exceed 30 times the federal minimum hourly wage.

"Disposable earnings" are those earnings remaining after deductions of any amount required by law to be withheld, such as social security and withholding taxes.

These payments shall be made at the same time the employee is paid and shall continue until the debt to the plaintiff is paid in full or the garnishee no longer has custody, possession or control of any property belonging to the debtor or until further order of this Court. Payments shall be sent to: Clerk of Court, 2601 Second Avenue North, Suite 3200, Billings, Montana 59101.

IT IS FURTHER ORDERED that any amounts which the garnishee may be holding pursuant to the writ of garnishment shall immediately be turned over to the United States Attorney at the above address.

DATED this 16th day of March, 2018.


SUSAN P. WATTERS
United States District Court Judge